

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA,)	
)	
v.)	CR423-020
)	
SEAN HOLLOWAY,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On September 20, 2023, the Court ordered a forensic psychological examination of defendant Sean Holloway, in accordance with 18 U.S.C. § 4241(a) and (b), to assess both his mental competency for trial and his criminal responsibility for the charged offense. Doc. 30. He has since had a comprehensive psychological evaluation at the Federal Detention Center in Houston, Texas. Doc. 36. His evaluators found that he is competent to stand trial. *Id.* at 8.

Both defendant and the Government stipulate to the report's findings. Doc. 37. The Court concurs with the report's un rebutted findings and concludes that Holloway is not presently suffering from a mental disease or defect rendering him mentally incompetent to stand

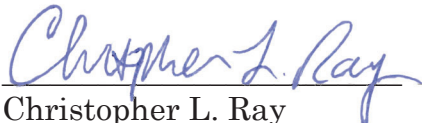
trial. It is therefore **RECOMMENDED** that defendant be found competent to stand trial pursuant to 18 U.S.C. § 4241.

This R&R is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned "Objections to Magistrate Judge's Report and Recommendations." Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonette v. V.A. Leasing Corp.*,

648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. United States*, 612 F. App'x 542, 545 (11th Cir. 2015).

SO REPORTED AND RECOMMENDED, this 7th day of
February, 2024.


Christopher L. Ray
United States Magistrate Judge
Southern District of Georgia